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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/398,963 | 09/16/1999 | KENNETH HANCOCK | 3600/WWM/E19 | 1711 |

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EXAMINER

ROUVAS, NIKOLAOS

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2614

DATE MAILED: 06/21/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/398,963

Applicant(s)

HANCOCK ET AL.

Examiner

Nikolaos Rouvas

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The specification is objected to because it is replete with spelling and grammatical errors. Examples of some spelling and grammatical errors in the specification are: page 7, line 7: "opration"; page 14, line 22: "usg"; lines 29-30: "by for"; page 15, line 7: "fro 3p".

Appropriate correction is required.

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Oath/Declaration

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:
It does not include the inventors' signatures.

Drawings

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claimed "input for accepting cursor movement and selection commands", the "display generator", and the "means for blocking...entered into the input" described in claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to because the alphanumeric characters, legends, etc., associated with Figures 1-22 are illegible. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,610,653 to Abecassis.

In regards to claim 1, Abecassis discloses a system that displays video according to a viewer's predefined preferences. An input device such as an "infrared mouse" (column 16, line 48) or a "remote control" (column 17, line 22) device is being used to transmit the viewer's selection commands to the system. A two-dimensional matrix or tile arrangement (Figures 4A, 4B, 4E) is the interface used to pass commands by highlighting (column 17, lines 29, 51, 57) the desirable option on a "content preference screen" (column 17, lines 51-52). This structure includes a sequence of content categories such as "violence" (column 7, line 63) arranged in rows, and a "coding scale" (column 8, line 1) arranged in columns.

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The reference differs from that claimed in that it does not disclose columns of “program ratings” per se, but rather a coding scheme, which is somewhat analogous to the well-known MPAA rating scheme. However, the examiner submits that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the coding scheme format with the well-known MPAA rating format in order to provide the user with a familiar scheme as a basis from which to make selections.

In regards to claim 2, as explained in the paragraph above, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the coding scheme format with the well-known MPAA rating format (PG, PG-13, and so on) in order to provide the user with a familiar scheme as a basis from which to make selections. It is noted that the examiner need only meet one of the Markush group of content indicators to satisfy the claim limitations. In regards to claims 3 and 4, the reference clearly discloses a number of content categories including violence, nudity, sex, and profanity (Figure 4A).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ming et al. (5,710,815) discloses an apparatus, which controls the receipt of television programs according to the viewer's predefined program attributes.

Cragun et al. (5,973,683) discloses a method and system for controlling the content of programs displayed on a television according to a viewer's profile data.

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Lim et al. (6,037,969), which was filed after the instant application and thus does not constitute prior art, discloses a method and system for blocking out television programs according to preset ratings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Nikolaos Rouvas** whose telephone number is **(703) 305-6955**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Miller**, can be reached at **(703) 305-4795**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600